

COUNCIL AGENDA ITEM # ____ FOR
TUESDAY, MAY 11TH, 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

May 4th, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 810 S. Oregon Street (Rep. District #8)

Scheduling a public hearing to be held on June 2nd, , 2004 to determine if the property located at 810 S. Oregon Street in the City of El Paso (Legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of April 22nd, 2004, Guadalupe Norman, 203 E. 7th Avenue, El Paso, Texas 79901, has been notified of the violations at this property. District #8

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property located at 810 S. Oregon Street, was PUBLISHED in the official City newspaper on the ____day of _____, 2004.

Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Jose Roberto Avila, Jr.
11712 Corona Crest Ave.
El Paso, Texas 79936

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Jose Roberto Avila, Jr.
810 S. Oregon St.
El Paso, Texas 79901

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Guadalupe Norman AKA Lupe Norman
203 E. 7th Avenue
El Paso, Texas 79901

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Guadalupe Norman AKA Lupe Norman
C/O Alexandra Penelope Rodriguez
521 E. 7th Ave., #121
El Paso, Texas 79901

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Jacqueline Norman Brown AKA Jacqueline Norman
203 E. 7th Avenue
El Paso, Texas 79901

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Carmen Nava AKA Carmen Norman
14960 Las Flores Rd.
El Paso, Texas 79938

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Guadalupe Norman
C/O Alexandra Penelope Rodriguez
9370 Carranza Loop
El Paso, Texas 79907

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (HAND-DELIVERED) to:

City of El Paso
C/O City Clerk
#2 Civic Center Plaza
El Paso, TX 79901

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Governor of the Ysleta Del Sur Pueblo Indian Tribe
AKA Tigua Indian Community
119 S. Old Pueblo Road
El Paso, Texas 79907

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th, 2004 regarding the property at 810 S. Oregon Street, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

El Paso Central Appraisal District
5801 Trowbridge Ave.
El Paso, Texas 79925

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice was POSTED at 810 S. Oregon Street, El Paso, Texas.

Date: _____
Time: _____

Inspector

copy

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

BUILDING PERMITS AND INSPECTIONS CODE COMPLIANCE March 25, 2004

Guadalupe Norman
203 E. 7th Ave.
El Paso, Texas 79901-3212

Re: 810 S. Oregon St.
Lots: 15 & S 16 Ft. of 14 &
N 1 Ft. of 16
Blk: 74, Campbell
Zoned: SRR
COD04-04111
Certified Mail Receipt #
7003 2260 0002 9957 5050

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

810 S. Oregon Street

- c. Boarded up, fenced, or otherwise secured in any manner in if:
 - i. The building constitutes a danger to the public even though secured entry, or
 - ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 810 S. Oregon Street has the following violations:

- a. The foundation has not been maintained in a safe manner.
- b. The floors have not been maintained in a safe manner.
- c. The walls have not been maintained in a safe manner free of holes and cracks.
- d. The roof structure has not been maintained free of defects that may cause leaks.
- e. The means of egress is/are inadequate and do not meet minimum code requirements.
- f. The plumbing system is inadequate and does not meet minimum code requirements.
- g. The electrical system is inadequate and does not meet minimum code requirements.
- h. The HVAC system is inadequate and does not meet minimum code requirements.
- i. The structure is open and accessible to unauthorized entry.
- j. The premises are full of weeds, trash, and debris.
- k. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

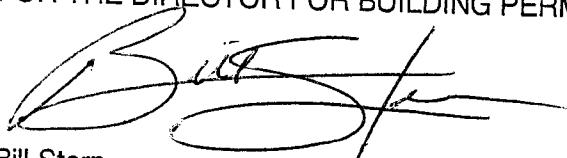
810 S. Oregon Street

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:



Bill Stern
Building Inspector

BS/rl

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Signature <input checked="" type="checkbox"/> <i>Chris Taylor</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>CHRIS TAYLOR</i> C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
1. Article Addressed to: <i>BS</i> Guadalupe Norman 203 E. 7 th Ave. El Paso, Texas 79901-3212 Re: 810 S. Oregon Street <i>LA #3</i>		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

7003 2260 0002 9957 5050

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540


EL PASO CITY-COUNTY HEALTH & ENVIRONMENTAL DISTRICT

ENVIRONMENTAL HEALTH

M E M O R A N D U M

DATE: April 1, 2004

MEMO TO: Tom Maguire, Housing Compliance Supervisor

FROM: Jorge Ramirez, Sr. Environmental Health Inspector 

SUBJECT: Condemnation Report

RE: 810 S. Oregon St. 79901

An inspection of the property was conducted on March 31, 2004 and the conditions checked were found in violation of Title 9 - Health and Safety, El Paso Municipal Code.

SECTION 9.04 - SOLID WASTE STORAGE AREA:
N/A

SECTION 9.04.340 - ACCUMULATIONS:
Of trash, scrap tires, broken glass and tall vegetation were seen outside the structure.

SECTION 9.16 - NUISANCE:
N/A

SECTION 9.16.010 - DESIGNATED:
N/A

SECTION 9.28 - RAT CONTROL:
The structure consists of a vacant apartment complex. The structure is decaying. This condition serves as a potential vermin harborage.

NOTE: Evidence of the property being use by transients was seen.

If you require additional assistance on this matter, please call me at (915) 860-2378 or Fax (915) 860-1081.

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 2nd day of June, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 810 S. Oregon Street, in El Paso, Texas, which property is more particularly described as:

Lot: 15 and the South 16 Feet of Lot 14 and the North 1 Foot of Lot 16, Block 74, Campbell's Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 2, Page 68, Plat Records of E Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Guadalupe Norman, 203 E. 7th Avenue, El Paso, Texas 79901 and Jose Roberto Avila, Jr., 810 S. Oregon Street, El Paso, Texas 79901, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

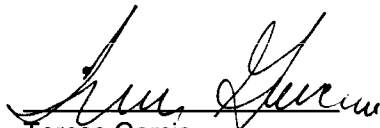
Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

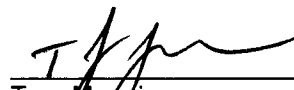
According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Adopted this 11th day of May, 2004.

APPROVED AS TO FORM:


Teresa Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:


Tom Maguire
Housing Compliance Supervisor